

EXHIBIT 3

Page 1

1 M. Parrott

2 UNITED STATES DISTRICT COURT

3 FOR THE WESTERN DISTRICT OF VIRGINIA

4 CHARLOTTESVILLE DIVISION

5 -----x

6 ELIZABETH SINES, et al.,

7 Plaintiffs, Civil Action No.

8 v. 3:17-cv-00072-NKM

9 JASON KESSLER, et al.,

10 Defendants.

11 -----x

12

13

14 VIDEOCONFERENCE DEPOSITION OF

15 MATTHEW DAVID PARROTT

16 Paoli, Indiana

17 Friday, June 26, 2020

18

19 Reported by:

20 DEBORAH C. FUREY, RPR, CLR, CRI

21 JOB NO. 180624

22

23

24

25

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1	M. Parrott	1	M. Parrott
2	screenshots of text messages, correct?	2	communications pertaining to Charlottesville.
3	A. Yes.	3	Q. Okay. And this was your effort to
4	Q. And how did you choose which 30	4	respond to our document request in April of 2018,
5	screenshots to produce to us?	5	correct?
6	A. I went back through my text messages and	6	A. Yes.
7	found the messages that I believe pertained to	7	Q. Do you agree, Mr. Parrott, that you did
8	communications with the Unite the Right event.	8	not produce to us a single text message to or from
9	Q. But how did you decide what pertained to	9	Mr. Heimbach?
10	Unite the Right? Did you read every single text	10	A. I may or may not have. I don't recall
11	message? Did you use search terms? How did you	11	that.
12	filter?	12	Q. Well, why don't we quickly -- if you
13	A. Because I don't communicate beyond my	13	want -- do you want to look at this production to
14	friends and family on my phone, it was a rather	14	be able to answer whether or not you produced a
15	simple task of right around Unite the Right, there	15	single text message from Mr. Heimbach?
16	was an explosion of these messages from strange	16	A. Are you asking me to look at my phone
17	phone numbers that I knew pertained to Unite the	17	versus this? I will take your word if you insist
18	Right.	18	that I did not send any communication between me
19	Q. Okay. But this was -- what we're	19	and Heimbach.
20	looking at in Exhibit 35 are the total documents	20	Q. I don't want you to take my word. I'm
21	that you produced to us in April of 2018, correct?	21	looking for your testimony.
22	A. I only see one screenshot here, but I do	22	Do you agree that, when you made this
23	remember taking several dozens of screenshots of	23	document production in April 2018, you did not, in
24	the conversations and sending them to you, and	24	fact, produce a single text message to or from
25	being satisfied that I had sent all of my text	25	Matthew Heimbach?
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1	M. Parrott	1	M. Parrott
2	A. I don't know. That seems peculiar. I	2	Q. And that's the Nokia phone that we've
3	don't recall failing to do that.	3	been talking about?
4	Q. Do you agree that you did not produce to	4	A. Yes.
5	us a single text message to or from Derrick Davis?	5	Q. Did you produce to the vendor the same
6	A. I don't know whether I had a text	6	phone that you pulled these text messages from
7	message with Mr. Davis.	7	that we see in Exhibit 35?
8	Q. Do you agree you did not produce to us a	8	A. Yes.
9	single text message to or from Jason Augustus?	9	Q. Before you produced the phone to the
10	A. That is quite likely.	10	vendor, did you delete any text messages?
11	Q. Do you know if you produced a single	11	A. I do not believe so.
12	text message from any TWP member?	12	Q. Can you be sure that you did not delete
13	A. I believe I produced Tony's text	13	any text messages from your phone?
14	messages. I do not know who I -- I do not recall	14	A. My only concern is I might have deleted
15	who I sent messages from. It was years ago.	15	Mr. Heimbach or Jessica White's messages
16	Q. In October -- sorry.	16	pertaining to my divorce. But I am confident that
17	When you say Tony, Tony Hovater?	17	that would be the scope of my message deletion.
18	A. Yes.	18	Q. Do you think it's possible you deleted
19	Q. Okay. In October of 2018, you were	19	the text messages that you exchanged with
20	ordered to produce your phone to a vendor for	20	Mr. Heimbach?
21	imaging, right?	21	A. Yes, that is possible.
22	A. Yes.	22	Q. And we're talking about all --
23	Q. And you did produce the phone to the	23	withdrawn.
24	vendor, right?	24	You're saying it's possible you deleted
25	A. Yes, I did.	25	all text messages between you and Heimbach from

1 M. Parrott 2 the phone that you produced to the vendor, 3 correct? 4 A. Yes, correct. 5 Q. And when is it that you think you may 6 have deleted all text messages between you and 7 Mr. Heimbach from your cell phone? 8 A. If that occurred, it would have been 9 directly after the trailer park incident in which 10 I was very distraught. 11 Q. Okay. So you're saying you may have 12 deleted all text messages between you and 13 Mr. Heimbach after March of 2018 from your cell 14 phone, correct? 15 A. Correct. 16 Q. Mr. Parrott, you did delete all text 17 messages with Mr. Heimbach after March of 2018, 18 didn't you? 19 A. I don't know the answer to that 20 question. I honestly don't. I believe we've 21 pulled the direct cell phone tower records that we 22 could perhaps review and compare them. 23 Q. What do you mean "cell phone tower 24 records"? 25 A. Well, AT&T has been subpoenaed to	Page 286 1 M. Parrott 2 actually receive my SMS phone records for the 3 relevant timeframe, which would allow us to find 4 out whether Mr. Heimbach's text messages have been 5 deleted or not. 6 Q. Okay. Well, you're aware that, when the 7 vendor imaged your phone after you produced it, 8 the vendor actually didn't find a single text 9 message from prior to November of 2017 that 10 concerned Unite the Right, correct? 11 A. We see these text messages right here. 12 I'm confident that the phone contained and 13 continues to contain a variety of messages 14 pertaining to Unite the Right. 15 Q. Well, to be clear, what we see on the 16 screen right now is Exhibit 35, right? 17 A. Yes. 18 Q. And these are screenshots of what you 19 produced to us from your laptop, right? 20 A. Yes. 21 Q. But when the phone was given to the 22 vendor to image, you're aware that the vendor did 23 not find a single text message concerning Unite 24 the Right prior to November of 2017? 25 A. That is possible.
Page 288 1 M. Parrott 2 Q. Is it possible that you deleted all text 3 messages prior to November of 2017 that concerns 4 Unite the Right? 5 A. It would have been all text messages 6 with Mr. Heimbach at the time of the trailer park 7 incident. 8 Q. The text messages that we see right now 9 on the screen, Exhibit 35, are those text messages 10 still in your phone? 11 A. They should be. I can look right now. 12 Q. Well, you're aware that the vendor 13 didn't even find these text messages on your 14 phone? 15 A. That would be a failure on the vendor's 16 part, if that's the case. 17 Q. Well, did you delete text messages 18 between you and any other TWP member at all? 19 A. Other than Mr. Heimbach and the former 20 Ms. Parrott, no. 21 Q. So you also deleted text messages 22 between you and -- is it Jessica Parrott? 23 A. Formerly Jessica Parrott. 24 Q. But you also deleted text messages 25 between you and formerly Jessica Parrott?	Page 289 1 M. Parrott 2 A. Yes. 3 Q. And you did that before you turned the 4 phone over to the vendor in this case? 5 A. Yes. It was before I turned the phone 6 over to the vendor. 7 Q. And the text messages with Mr. Heimbach 8 that you deleted, that happened before you turned 9 the phone over to the vendor, correct? 10 A. That is correct. 11 Q. Now, you also disclosed another phone 12 number on one of your certifications, correct? 13 A. Yes. 14 Q. And that phone number is 812-865-5512, 15 right? 16 A. Yes. 17 Q. And what phone number is that? 18 A. That, I'm forgetting exactly how that 19 played out, but with the Google Voice, you have 20 your real phone number behind your phone number 21 and then your Google Voice phone number. 22 Q. So is there a phone associated with the 23 812 number? 24 A. The Nokia. 25 Q. Okay. So that phone number is also

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1	M. Parrott	1
2	associated with the same phone that your 8282	2 Q. Do you see what's on the screen,
3	number is associated with, correct?	3 Mr. Parrott, marked Exhibit 36?
4	A. That is correct.	4 A. Yes.
5	Q. The 812 number is a Google Voice	5 Q. And are these text messages that you
6	number?6. The 317, my main number that I did my	6 exchanged with Jason Kessler?
7	text communication with is the Google Voice	7 A. Yes, they are.
8	redirection number. The 812 number is the actual	8 Q. And you're aware that Mr. Kessler's
9	cell phone tower, AT&T number.	9 number is 434-996-5567?
10	Q. Okay. So if I called your cell phone	10 A. That sounds correct.
11	right now, I would call the 812 number?	11 Q. And you were texting him from your 812
12	A. No. Everyone is to call the 317 number.	12 number, correct?
13	It would ring at this phone number. Either one	13 A. Yes.
14	would work, actually.	14 Q. And can you just explain why that is?
15	Q. Okay. Well, did you text with	15 A. If you don't have wi-fi or data service,
16	Mr. Kessler using the 812 number?	16 and I believe I was in the hospital, it says "Wife
17	A. I don't believe so, no.	17 delivering" right there, and that's on my
18	MR. BLOCH: Emily, can we show the next	18 daughter's birthday, November 22nd. I believe I
19	exhibit?	19 completely lacked a data signal at all, which
20	(Exhibit 36 Parrott, Text messages,	20 requires you to fall back on your actual phone
21	11-22-17, no Bates stamps, was	21 number.
22	marked for the purposes of	22 Q. Okay. What is it -- you say in the last
23	identification.)	23 text, "Will you accept \$200 in Bitcoin," correct?
24	MR. BLOCH: I'm sorry. I'm looking for	24 A. Yes.
25	Tab 11. It's my fault.	25 Q. What is it that you were paying
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1	M. Parrott	1 M. Parrott
2	Mr. Kessler for?	2 pomeranians with funny captions come at me on
3	A. I do not recall.	3 Signal on a disposable burner phone."
4	Q. No idea?	4 A. I was making a joke, indicating that
5	A. I don't have any idea whatsoever. I	5 disposable burner phones are a thing that
6	don't recall what I was paying him for.	6 people -- people use.
7	Q. Okay. Other than the -- well, did you	7 Q. Okay. But you, yourself have never used
8	ever have a disposable burner phone?6. I did	8 one?
9	purchase a second phone while -- during the two	9 A. I, myself, have never used a disposable
10	separate six-week incidents where IDS Solutions	10 burner phone.
11	had my primary phone, so that I could do my day	11 Q. Now, your e-mail account is
12	job. And I still possess that phone. It's	12 parrott.matt@gmail.com, correct?
13	currently deactivated.	13 A. Correct.
14	Q. Okay.	14 Q. And are you the only person that had
15	MR. BLOCH: Can we look at Tab 14?	15 access to that account?
16	(Exhibit 37 Parrott, Twitter tweet,	16 A. Yes.
17	2-22-19, Bates stamped	17 Q. And you used that to communicate about
18	NOCUSTODIAN00002592, was marked for	18 Unite the Right, correct?
19	the purposes of identification.)	19 A. I believe so.
20	Q. Mr. Parrott, I'm showing you what I	20 Q. Have you ever deleted any e-mails
21	believe is marked Exhibit 37.	21 generated about Unite the Right from that e-mail
22	And is this a tweet by you?	22 account?6.
23	A. Yes.	23 Q. Do you agree that, in that initial
24	Q. And you say at the bottom, "Fedposts	24 production that we looked at in April, 2018, you
25	come at me on Facebook messenger, teacup	25 didn't send us a single e-mail from that account?